

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:21-cv-00607-FDW-DCK

DONNA CUNNINGHAM,

Plaintiff,

vs.

EQUAL OPPORTUNITY COMMISSION,  
ET AL.,

Defendant.

ORDER

THIS MATTER comes before the Court *sua sponte* concerning the status of this case. On November 9, 2021, Plaintiff filed the Complaint, but she failed to include the filing fee or an application to proceed without payment of fees supported by an affidavit. On November 10, 2021, the Clerk provided Plaintiff a Notice of Deficiency indicating that she must either file an application to proceed without prepayment of fees and affidavit (form enclosed) or pay the filing fee of \$402.00. (Doc. No. 2). Plaintiff was forewarned that failure to comply with the Order *within twenty-one days* could result in dismissal of her claims without prejudice for failure to prosecute.

Plaintiff did not respond to the Court's order. Plaintiff has failed to remit payment or file a new IFP Application, and the time for doing so has long expired.

THEREFORE, it is ORDERED that Plaintiff's claims are DISMISSED without prejudice. The Clerk of Court is respectfully directed to CLOSE THE CASE.

SO ORDERED.

Signed: April 25, 2022



Frank D. Whitney

United States District Judge